IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 4383 OF 2006.

Shri Vasant L. Kshirsasagar... Petitioner.

V/s.

Shri Rangrao R. Katkar ... Respondent.

Shri P.J. Pawar for the petitioner.

CORAM: V.C.DAGA, J.

DATED: 29.1.2007.

P.C.:

. None for the petitioner even at second call. Petition is liable to be dismissed for want of prosecution.

2. The dismissal of the petition results in moving an application for restoration creates huge strain on the registry.

3. In the above view of the matter, I myself went through the impugned order dated 8.4.2005 passed by the Civil Judge, JD Satara, whereby the Executing Court had appointed Court Commissioner for taking possession of the property and to hand over the same to the decree holder.

4. Having passed impugned order with the challenges set up in the petition I do not see any case having been made out to interfere with the impugned order. Petition is, therefore, dismissed in limine with no order as to costs.

(V.C.DAGA, J.)